



Dkt. 0575/61152-A/JPW/AJM/MML

In re Application of: Saul J. Silverstein et al.

Serial No.: 09/769,699

Examiner: G. Leffers Jr.

Filed: January 25, 2001

Group Art Unit: 1636

For: VZV ORF29p PROTEIN-RELATED COMPOSITIONS AND METHODS

Mail Stop AF

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

May 14, 2004

Sir:

Transmitted herewith is an amendment to the above-identified application.

IN Small entity status of this application under 37 C.F.R. §1.9 and §1.27 has been established by a verified statement previously submitted.

RE A verified statement to establish small entity status under 37 C.F.R. §1.9 and §1.27 is enclosed.

MA No additional fee is required.

CC

The filing fee is calculated as follows:

	NUMBER AFTER AMENDMENT		HIGHEST NUMBER PREVIOUSLY PAID FOR		NUMBER OF EXTRA CLAIMS PRESENTED		RATE				FEE	
							SMALL ENTITY	OTHER ENTITY		SMALL ENTITY	OTHER ENTITY	
Total Claims	4	-	* (20)	=	0	X	\$9	\$18	=	\$0	0	
Independent Claims	2	-	** (3)	=	0	X	\$42	\$84	=	0	0	
Multiple Dependent Claim(s) Presented <u>Yes</u> <input checked="" type="checkbox"/> <u>No</u>							\$140	\$280	0	\$140	0	
For First Time							TOTAL ADDITIONAL FEE					
							\$0					

*If the "HIGHEST NUMBER PREVIOUSLY PAID FOR" is less than 20, write "20" in this space.

**If the "HIGHEST NUMBER PREVIOUSLY PAID FOR" is less than 3, write "3" in this space.

**If the difference between the "NUMBER AFTER AMENDMENT" and the "HIGHEST NUMBER PREVIOUSLY PAID FOR" is less than "0", write "0" in the space.

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Amendment Transmittal Letter

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The "HIGHEST NUMBER PREVIOUSLY PAID FOR" (Total or Independent) is the highest of the "NUMBER AFTER AMENDMENT" in any prior amendment or the number of claims as originally filed.

Please charge Deposit Account No. in the amount of \$ _____.

A check in the amount of \$ _____ is enclosed.

The Commissioner is hereby authorized to charge payment of the following fees associated with this communication or credit any overpayment to Deposit Account No. 03-3125. Three copies of this sheet are enclosed.

Any filing fees under 37 C.F.R. §1.16 for the presentation of extra claims.

Any patent application processing fees under 37 C.F.R. §1.17.

Respectfully submitted,

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I hereby certify that this correspondence is being deposited this date with the U.S. Postal Service with sufficient postage as first class mail in an envelope addressed to:

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Alan J. Morrison
Reg. No. 37,399

Date
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AFI 1636
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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants : Saul J. Silverstein et al.

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1185 Avenue of the Americas
New York, NY 10036
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Alexandria VA 22313-1450

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AMENDMENT IN RESPONSE TO FEBRUARY 25, 2004 FINAL OFFICE ACTION

This Amendment is submitted in response to the February 25, 2004 Final Office Action issued in connection with the above-identified patent application. A response to the February 25, 2004 Final Office Action is due May 25, 2004. Accordingly, this Amendment is being timely filed.